

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)
)
 v.) CASE NO. 2:25-cr-221-ECM
)
ARMANDO LUGARDO-ROJO)

ORDER

On April 8, 2025, the Magistrate Judge entered a Report and Recommendation Concerning Plea of Guilty (doc. 22), to which Notices of No Objection have been filed (docs. 24, 25). Accordingly, it is

ORDERED that the Magistrate Judge's Recommendation (doc. 22) is ADOPTED, the Court ACCEPTS the Defendant's plea of guilty as to Count 1 of the Information,¹ and the Defendant is adjudged guilty of this offense.

Also pending before the Court are the Defendant's unopposed motion to expedite sentencing hearing (doc. 17) and unopposed motion to impose sentence without a presentence investigation report (doc. 16). Upon consideration of the motions, and for good cause, it is

ORDERED that the Defendant's unopposed motion to impose sentence without a presentence investigation report (doc. 16) is GRANTED. It is further

ORDERED that the Defendant's unopposed motion to expedite sentencing hearing (doc. 17) is GRANTED as follows:

¹ The Defendant waived his right to prosecution by indictment. (Doc. 18).

1. The sentencing of the Defendant is set on **April 23, 2025 at 2:30 p.m.** in **Courtroom 2A**, the Frank M. Johnson, Jr. United States Courthouse, One Church Street, Montgomery, Alabama.

2. Counsel for the Defendant and the Government are to notify the Court **no later than APRIL 14, 2025**, if the hearing is anticipated to take more than one hour.

3. Government and defense motions **shall be filed NO LATER THAN NOON ON APRIL 16, 2025**.

4. **Sentencing Memoranda.** Sentencing memoranda **ARE REQUIRED** and shall be filed, with any attachments, **NO LATER THAN NOON ON APRIL 16, 2025**, with copies served on opposing counsel and the probation officer assigned to the case. **Responses to sentencing memoranda are also required and shall be filed NO LATER THAN NOON ON APRIL 18, 2025.**

5. **Sentencing Exhibits.** Any paper exhibit that a party may offer at the sentencing hearing shall be filed electronically either as a Notice of Filing Sentencing Exhibits **or** as an attachment to a sentencing memorandum (*see* paragraph 4 above). As to physical evidence that may be offered at the sentencing hearing, the offering party shall attach a photograph of the physical evidence to either the Notice of Filing Sentencing Exhibits or to the sentencing memorandum. Finally, any storage media (*e.g.*, CDs, DVDs) that may be offered at the sentencing hearing shall be filed conventionally, along with an electronically filed notice of conventional filing.

All exhibits referenced in this paragraph — paper, physical evidence, and storage media — shall be filed (in accordance with the procedures in the preceding paragraph) **NO LATER THAN NOON ON APRIL 16, 2025**, with copies served on opposing counsel and the probation officer assigned to the case.

6. The parties shall comply with Rule 49.1 of the Federal Rules of Criminal Procedure and refrain from including, or shall partially redact where inclusion is necessary, personal data identifiers from all filings with the court, including exhibits, whether filed electronically or in paper, unless otherwise ordered by the court. The responsibility for redacting these personal identifiers rests solely with counsel and the parties.

7. **Introduction of Exhibits at Sentencing.** Any of the above referenced exhibits that a party moves to introduce at sentencing shall be offered at the hearing, even if a copy of the exhibit previously was filed in accordance with paragraphs 4 and 5 of this Order.

Nothing contained in this Order shall be construed as impairing the rights of any party as established in the United States Constitution or laws of the United States.

DONE this 9th day of April, 2025.

/s/ Emily C. Marks
EMILY C. MARKS
CHIEF UNITED STATES DISTRICT JUDGE